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IN THE UNITED STATES DISTRICT COURT
 FOR THE CENTRAL DISTRICT OF CALIFORNIA

RENO MAY, an individual, et al.,
 Plaintiffs,
 v.
**ROBERT BONTA, in his official
 capacity as Attorney General of the
 State of California, and Does 1-10,**
 Defendants.

Case Nos. 8:23-cv-01696 CJC (ADSx)
 8:23-cv-01798 CJC (ADSx)

**DECLARATION OF HOLLY
 BREWER IN SUPPORT OF
 DEFENDANT'S OPPOSITION TO
 PLAINTIFFS' MOTION FOR
 PRELIMINARY INJUNCTION**

Date: December 20, 2023
 Time: 1:30 p.m.
 Courtroom: 9B
 Judge: Hon. Cormac J. Carney

**MARCO ANTONIO CARRALERO, an
 individual, et al.,**
 Plaintiffs,
 v.
**ROBERT BONTA, in his official
 capacity as Attorney General of
 California,**
 Defendant.

DECLARATION OF HOLLY BREWER

I, Holly Brewer, declare under penalty of perjury that the following is true and correct:

1. I have been asked to provide an expert opinion on several aspects of the history of early America, including to comment on assertions made in this case about the existence in early America of entities and establishments that today are frequented by children, and on the history of firearms regulation in the Anglo-American legal tradition.

2. This declaration is based on my own personal knowledge and experience, and if I am called to testify as a witness, I could and would testify competently to the truth of the matters discussed in this declaration.

BACKGROUND AND QUALIFICATIONS

3. I am the Burke Chair of American Cultural and Intellectual History and Associate Professor at the University of Maryland. I earned my undergraduate degree in Early Modern History and Physics from Harvard University in 1986 *magna cum laude* and my M.A. and Ph.D. in History from the University of California at Los Angeles (in 1989 and 1994, respectively). I am a legal historian, specializing in early modern debates about justice and how those debates impacted and interacted with common and statutory law in early America, early modern England, and in the British Empire. I am particularly an expert on the different historical statuses of children and adults, and on the boundaries between the two as recognized in English and American law. My first book, *By Birth or Consent: Children, Law, and the Anglo-American Revolution in Authority*, was published in 2005 by UNC Press and won three major awards in the law and legal history: the Hurst Prize from the Law and Society Association (2006), the Cromwell Prize from the American Society for Legal History (2006), and the Biennial Book Prize of the

1 Order of the Coif from the American Association of Law Schools (2008). The
2 Order of the Coif Prize is biennial and the only book prize the American
3 Association of Law Schools awards. A copy of my *curriculum vitae*, which includes
4 a list of my publications and contributions, is attached as **Exhibit 1**.

5 4. Most of my other legal history scholarship relates to such topics as
6 inheritance and land ownership, and the role of the high courts of common law
7 England related to local decisions in the colonies and in the new United States. For
8 more than 30 years, I have read and analyzed extensively local court records, high
9 court records, legislative records, and other documents relating to common law
10 courts and legal practices in England and in almost every colony and state in early
11 America between 1607 and the 1830s. Many of my articles have also won prizes,
12 including the prize for the best article published in the prior six years in the *William*
13 *and Mary Quarterly*, the main journal in early American history for “Entailing
14 Aristocracy: Ancient Feudal Restraints and Revolutionary Reform,” and most
15 recently, the Sutherland Prize from the American Society for Legal History for
16 “Creating a Common Law of Slavery for England and its New World Empire,”
17 which appeared in the November 2021 issue of the *Law and History Review*.

18 5. My work on the legal status of children in early America, early modern
19 Britain, and in the United States during the New Republic is widely assigned in law
20 schools and by historians and also widely cited in legal academia. My work is
21 respected as well on issues relating to citizenship and to voting. I was co-author and
22 signatory to five amicus briefs, three for the Supreme Court, and two for a court of
23 appeals. In the cases before the Supreme Court (*Gill v. Whitford* (2018) and *Rucho*
24 *v. Common Cause* (2019)), which dealt with partisan gerrymandering, I was part of
25 a panel of historians who recently contributed to a law professors’ and historians’
26 brief in *U.S. vs. Rahimi*. I was the sole author of an amici brief for the 8th Circuit
27 Court of Appeals in a case involving the ability of minors to carry firearms. I was
28

1 also part of a panel of citizenship scholars in *Tuaua v. U.S.* (2014) on the question
2 of the citizenship of those born in U.S. territories.

3 6. I have been invited to speak at many conferences on constitutional
4 questions, including, for example, on a Presidential Panel during the summer of
5 2023 at the Society for Historians of the Early American Republic. I gave a keynote
6 speech at the British Legal History Association in 2017, and have given many
7 papers at the annual conference of the American Society for Legal History. I have
8 given invited lectures at many law schools, including Yale Law School, New York
9 University Law School, Berkeley Law School, and Penn Law School, as well as
10 colleges, including Oxford University and Stanford. I have participated in
11 innumerable conferences as a panelist or as a commentator. I am a distinguished
12 lecturer for the Organization of American Historians.

13 7. My work is read and cited by scholars across disciplines ranging from
14 not only English and American history and law, but also political theory and
15 philosophy. I was co-editor of the book series *Studies in Legal History*, which
16 publishes with Cambridge University Press, for ten years, and currently chair the
17 Membership Committee for the American Society for Legal History. I also
18 currently chair the Littleton Griswold Prize Committee for the best book in legal
19 history, a prize awarded by the American Historical Association, the most
20 prestigious organization for historians. I teach classes in legal history of the early
21 modern period, including classes on the origins of the United States Constitution
22 and the comparative history of crime and punishment, as well as classes from the
23 freshman to graduate levels in U.S. History.

24 **RETENTION AND COMPENSATION**

25 8. I am being compensated for services performed in the above-entitled
26 cases at an hourly rate of \$300/hour for record review and consultation, document
27 preparation, and deposition and trial testimony. My compensation is not contingent
28 on the results of my analysis or the substance of any testimony.

BASIS FOR OPINIONS AND MATERIALS CONSIDERED

9. The opinions I provide in this report is based on my review of the various documents filed in this lawsuit, review of the citations and relevant materials related to those citations, and my education, expertise, and research in the field of cultural, social, political and legal history. The opinions contained herein are made pursuant to a reasonable degree of professional certainty.

10. I have been asked to review the claims made by Plaintiffs in the matters of *May v. Bonta* and *Carralero v. Bonta* that “California has hijacked the Supreme Court’s ‘sensitive places’ dicta to impose criminal penalties on almost all instances of the peaceable, public carry of firearms. Because California’s novel restrictions have no basis in early American laws or traditions, they are repugnant to the Constitution.” The evidence that they provide that these “sensitive places” existed then in any relevant form is deeply problematic. Our society has changed so profoundly that it is difficult to find historical analogues, particularly historical analogues of sites open to the public.

11. I will focus here on the claims made about particular “sensitive places” that relate to children and where children might particularly visit: museums, libraries, playgrounds, zoos, sporting events and amusement parks.

12. The *Carralero* Plaintiffs claim that these kinds of sites existed in early America, based on sources such as the websites of current societies/museums that have founding dates in the colonial era, as well as Benjamin Franklin’s circulating library. For example, they state the following on pages 14 to 15 of their brief:

SB2 also bans carry of firearms in any public library, see Cal. Pen. Code § 26230(17), and in museums, see *id.* § 26230(20). There is no well-established, representative historical tradition banning firearms in these locations. Museums and libraries date back to the colonial era in the United States. For example, the Charleston Museum dates to 1773. *See About Us, CHARLESTON MUSEUM*, <https://bit.ly/3MPYhMB> (last visited Sept. 25, 2023). The Peabody Essex Museum was founded by sea captains in Salem, Massachusetts in 1799 as the East India Marine Society. *See A Museum of*

1 *Art and Culture*, PEABODY ESSEX MUSEUM, <https://bit.ly/439jDtl> (last
 2 visited Sept. 25, 2023). The Peale Center in Baltimore opened its doors in
 3 1814. *See Our History*, THE PEALE, <https://bit.ly/41KAZvC> (last
 4 visited May 23, 2023). New York’s first museum opened in 1804. *See About*
 5 *Us*, N.Y.HIST. SOC’Y MUSEUM & LIBRARY, <https://bit.ly/3WkCcZF>
 6 (last visited Sept. 25, 2023). And Benjamin Franklin founded America’s first
 7 lending library in Philadelphia in 1731. “AT THE INSTANCE OF
 8 BENJAMIN FRANKLIN”: A BRIEF HISTORY OF THE LIBRARY
 9 COMPANY OF PHILADELPHIA 5 (2015), <https://bit.ly/3vdBGQk>.

10 Such claims are erroneous, as they confuse private “subscription” libraries and
 11 museums for members with those open to the public.

12 13. The well-known example of Franklin’s circulating library is an important
 13 example of the first book-club type library—meaning an entity holding collections
 14 of books or other reading materials that temporarily lends them out—in the
 15 mainland colonies of what would become the United States. But it was not a public
 16 library: it was a private club. As shown in the quoted excerpt above, the *Carralero*
 17 Plaintiffs refer to Franklin’s private circulating library open only to private
 18 members as a public library, then cite a source in support that begins by describing
 19 it as a private club. That source shows clearly that it was not public. It begins with
 20 the following sentences that describe the nature of the private club, which had
 21 formal agreements between members.

22 On July 1, 1731, Benjamin Franklin and a number of his fellow
 23 members of the Junto drew up “Articles of Agreement” to
 24 found a library. The Junto was a discussion group of young men
 25 seeking social, economic, intellectual, and political advancement. . . .
 26 Franklin and his friends were mostly mechanics of moderate means.
 27 None alone could have afforded a representative library. . . .
 28 Fifty subscribers invested forty shillings each and promised to pay
 ten shillings a year thereafter to buy books and maintain a shareholder’s
 library. Thus “the Mother of all American Subscription Libraries” was
 established.¹

¹ “*At the instance of Benjamin franklin*”: *A Brief History of the Library*
 (continued...)

14. This was no public library, that is, a library open to the public where members of the public without an ownership stake can borrow books. Such public libraries did not exist at that time.² Thus, it is entirely unsurprising that there were no regulations restricting the right to bear arms covering this non-existent institution.

15. Likewise, there were no public museums in the Founding era. The *Carralero* Plaintiffs—citing the Museum’s current webpage, “Who are we”—claim that the Charleston Museum, founded in 1773, was a public museum. This is inaccurate. Rather, the historical record is clear that the “museum” was an offshoot of another subscription library like Franklin’s, the Charleston Library Society, founded by seventeen wealthy subscribers in 1748, to subscribe to periodicals from England. In 1773, they expanded their private collections to include objects. Thus, the Charleston Museum was not a public museum during the Founding era.³ Likewise, the *Carralero* Plaintiffs cite the example of the Peabody Essex Museum, founded in 1799, as a public museum, and links to their webpage. But the Peabody Essex Museum was called until 1867 the “East India Marine Society.” It was, like the others, a society with limited members. All visitors to the museum had to either

Company of Philadelphia (Philadelphia: the Library Company, 2015), p. 1.
https://www.librarycompany.org/about/AttheInstance2015_98709140764695.pdf.

² Modern public libraries provide services and resources far beyond this basic definition, and in these respects do not bear any resemblance at all to Benjamin Franklin’s circulating book club. Modern public libraries serve as recreational and educational centers for children, who routinely visit them with their families and schools.

³ *Carralero* motion, pp. 14-15. The history of the founding of the Charleston Library Society is told in *A Catalog of the Books of the Charleston Library Society* (Charleston, SC: A.E. Miller, 1826).
<https://books.google.com/books?id=8bMRAAAIAAJ&dq=catalogue%20books%20charleston%20library%20society&pg=PR1#v=onepage&q=catalogue%20books%20charleston%20library%20society&f=false>

1 be a member or be introduced and brought by a member. It, too, was a private club
2 with many private rules for its clientele.⁴

3 16. There also were no playgrounds or public zoos during the Founding
4 era, neither in the colonies nor the new United States. The closest thing to a zoo
5 would have been the royal zoo in London (in the Tower of London), which was
6 open to the public in some cases and at some times, but certainly had guards and
7 restrictions, not only to restrict and restrain visitors, but to protect the animals. It
8 appears that this “royal menagerie” had its origins early in the medieval period, and
9 began by housing large cats, symbols of royal power.⁵ Being surrounded by guards
10 and with quietly made policies, it had no need for a public statute to regulate the
11 weapons of those who entered.⁶ Even asking whether weapons were allowed would
12 have seemed ridiculous at the time. Such “zoos” bear no relation to those of today
13 subject to SB 2, which are open to the public, are routinely visited by children with
14 their families or on educational school field trips, and host large numbers of
15 visitors. Similarly, nothing resembling modern day playgrounds for children existed
16 during the Founding era.

17 17. The *Carrelero* Plaintiffs additionally contend that venues analogous to
18 stadiums, arenas and amusement parks were “widespread” during the Founding era,
19 by making comparisons to very different kinds of institutions where children were
20 unlikely to be present, and which would have held much smaller events.

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22 ⁴ The *Carrelero* motion cites only the web page for the museum today, which
23 actually makes clear, even there, that it was established as a society.
24 <https://www.pem.org/about-pem/museum-history>. For details on who could visit,
25 see Daniel Finamore “*Displaying the sea and defining America,*” *Journal for Maritime Research* 2002 4: 40–51.

26 ⁵ Carline Grigson, *Menagerie: The History of Exotic Animals in England, 1100-1837* (Oxford: Oxford University Press, 2016).

27 ⁶ Such menageries were also, of course, across the ocean in the 1790s, no
28 longer part of the same country.

18. The one purported Founding era analog to any of these places that they identify is horse races, and they cite two examples of these races in New Jersey and Virginia, respectively. Horse races were common, but with their attendees usually counted in the dozens, or possibly a hundred or more. Usually they were run on private estates, but sometimes on public greens, such as at Williamsburg in Virginia. Children might have been present occasionally, but so too would the town watch/militia be present at such public events, serving formally as a kind of security. On private estates, the crowds were doubtless even smaller, and they would have made their own rules.⁷

19. Cock-fights were another kind of event popular during the colonial and early national era, but they too would have been fought on private estates, and sometimes behind private taverns, such as the one that archeologists located behind a tavern in Williamsburg, Virginia. While doubtless a few young people attended such events, these were events, like horse races, that involved particularly the elite (and adults), and at which they gambled.⁸

20. It is not really fair to compare the limited and small sporting events of the eighteenth century, which were horse races or cock fights, to modern amusement parks and stadiums, which involve vastly more people and prominently include children as part of the crowds.

21. The best historical analogue to all of these sites, from public libraries to amusement parks, were the new public schools that began to be funded and built

⁷ Rhys Isaac, *The Transformation of Virginia, 1740-1790* (Chapel Hill: UNC Press, 1980), 98-100.

⁸ I would add that cock-fights (fights between roosters who had spears on their ankles and then fought to their death) were attended by very small crowds as compared with today's spectator sporting events. They would have been rarely attended by children. One account did acknowledge the presence of a fifteen year old: "While the bettors urged the cocks on to battle, a child of fifteen, who was near . . . leaped for joy and cried, 'Oh! it is a charming diversion!'" (p. 103). See Isaac, *Transformation of Virginia*, esp. 98-105.

1 in the wake of the American Revolution. The American Revolution initiated a state-
2 led movement to provide access to education for most children, though of course it
3 did not happen in the same way in every state, and there were racial and gender
4 exceptions, beginning first on the level of public universities.

5 22. As these public schools began, they were in fact accompanied by
6 relatively systematic rules barring weapons. Students attending college in this era
7 were explicitly excluded from having to participate in the militia by most state
8 militia statutes. They also, as one scholar has noted, still lived under the restrictive
9 authority of colleges operating in loco parentis, which then had many harsh and
10 restrictive regulations. Brian Jackson, *The Lingering Legacy of "In Loco*
11 *Parentis": An Historical Survey and Proposal for Reform*, 44 Vand. L. Rev. 1135
12 (1991). Keeping and carrying of firearms were forbidden on campus at Yale
13 College⁹, the University of Georgia¹⁰, the University of North Carolina¹¹, and the
14 University of Virginia¹², reflecting the degree of authority a state institution could
15 wield over legal infants under its care. These policies were implemented for the
16 maintenance of public safety.

17 SUMMARY OF OPINIONS

18 23. There were no public libraries, museums, playgrounds, zoos,
19 playgrounds, amusement parks or major sporting events during the colonial era.
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21 _____
22 ⁹ *The Laws of Yale-College, in New-Haven, in Connecticut, Enacted by the*
23 *President and Fellows, the Sixth Day of October, A.D. 1795*, at 26 (1800).

24 ¹⁰ *The Minutes of the Senatus Academicus 1799–1842*, p.73 University of
25 Georgia Libraries (1976).

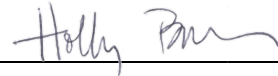
26 ¹¹ Acts of the General Assembly and Ordinances of the Trustees, for the
27 Organization and Government of the University of North Carolina 15 (1838).

28 ¹² University of Virginia Board of Visitors Minutes (October 4–5, 1824) 1,
6–7 (1824), <https://encyclopediavirginia.org/entries/university-of-virginia-board-of-visitors-minutes-october-4-5-1824/>.

1 The closest analogue to these sites and events in the era of the new republic would
2 have been new public schools, where firearm regulations often did exist.

3 I declare under penalty of perjury under the laws of the United States of
4 America that the foregoing is true and correct.

5 Executed on November 1, 2023, at University Park, Maryland.

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8 Holly Brewer
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Exhibit 1

Curriculum Vitae**Holly Brewer**

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hbrewer@umd.edu

Twitter [@earlymodjustice](#)

SSRN ID 4600793

Personal website <http://earlymodernjustice.org/>

Database website <https://slaverylawpower.org/>

Education

University of California, Los Angeles -- Ph.D. 1994

Dissertation: "Constructing Consent: How Children's Status in Political Theory Shaped Public Policy in Virginia, Pennsylvania, and Massachusetts, before and after the American Revolution."

C.Phil., 1991: Major Fields: American History, Colonial/New Republic.

Minor Fields: Early Modern British History, Political Theory.

M.A. in American History, 1989

Harvard University -- A.B. *Magna Cum Laude* in History and Science (Specializing in Physics and Early Modern European History), June, 1986. Undergraduate thesis: (*Magna Cum Laude*) "Madame du Chatelet and the Search for a Meta-Physics: Cartesian, Leibnizian, and Ultimately Newtonian."

Teaching

Burke Professor of American History & Associate Professor, University of Maryland, January 2011–.

Professor, NCSU History Department, Fall 2010, Associate Professor, 2001-2010, Assistant Professor, 1994-2001.

Teaching Assistant, UCLA History Department, 1988-1992.

Publications**Books & Digital History Project**

By Birth or Consent: Children, Law and the Anglo-American Revolution in Authority for the Omohundro Institute of Early American History and Culture by the University of North Carolina Press, Chapel Hill, 2005.

—Winner of the 2008 Order of the Coif Biennial Book Award, Association of American Law Schools

—Winner of the 2006 J. Willard Hurst Prize from the Law and Society Association

—Winner of the 2006 Cromwell Prize from the American Society for Legal History

Slavery, Law & Power: Debating Democracy and Justice in Early America and the British Empire.

Project Director for digital history project. <https://slaverylawpower.org/>. Has received funding from the National Historic Publications and Records Commission (NHPRC) and the American Society for Legal History (ASLH).

Books in Progress

The Kings' Slaves: Creating America's Plantation system, book Ms. in progress. Contract from Princeton University Press.

Transforming the Common Law: Domestic Authority in Early Modern Anglo-America, accepted for publication based on prospectus (& partial ms.) by Cambridge University Press as part of their Cambridge Studies in Legal History, edited by Chris Tomlins and Michael Grossberg.

Articles

- [“Creating a Common Law of Slavery for England and its New World Empire,”](#) *Law and History Review*, 39:4 (November, 2021)765-834.
winner of the 2022 Sutherland Prize, American Society for Legal History
- [“The Royal Geographical Pasttime: A Game from 1770,”](#) *Early American Studies*, July 2022.
- [“The Myth of “Salutary Neglect”: Empire and Revolution in the long Eighteenth Century”](#)
in *Cambridge History of the Age of Atlantic Revolutions*, forthcoming Spring 2023.
- [“Not ‘Beyond the line’: Reconsidering Law & Power in the Origins of Slavery in the Early English Empire in the Americas,”](#) *Early American Studies*, 20 (4) Fall 2022, 619-639.
- Lauren Michalak, Jordan Sly, Holly Brewer, [“The Slavery, Law, and Power Project: Curating Debates over Slavery, Justice and Democracy”](#) *Scholarly Editing* 39 (April 2022). 1-12.
- [“Race and Enlightenment: The Story of a Slander”](#) *Liberties Journal*, November 2021.
- [“Hearing Nat Turner: Within the 1831 Slave Rebellion,”](#) *Law & Social Inquiry* 46(3), August 2021, 910-916.
- [“Slavery-Entangled Philosophy: Does Locke’s Entanglement with Slavery Undermine his Philosophy?”](#) AEON, September 12, 2018.
- [“Slavery, Sovereignty, and ‘Inheritable Blood’: Reconsidering John Locke and the Origins of American Slavery”](#) *American Historical Review* 122 (October 2017), 1038-1078. 15,000 views.
--winner of the 2019 *Srinivas Aravamudan Prize* from the American Society for Eighteenth Century Studies for an article published in the previous year that pushes the boundaries, geographical and conceptual, of eighteenth-century studies by using a transnational, comparative, or cosmopolitan approach.
--Honorable Mention for the 2019 *Clifford Prize*, American Society for Eighteenth Century Studies.
- [“Constitutional Law,”](#) in Joseph C. Miller, ed., *The Princeton Companion to Atlantic History* (Princeton: Princeton University Press, 2014), 281-285.
- [“‘Subjects by Allegiance to the King’?: Tracing Subjects, Slaves, Suffrage and Sovereignty through the religious debates of the Early British Atlantic”](#) in Peter Onuf and Peter Thompson, eds., *State and Citizen in British America and the Early United States*, Charlottesville, University of Virginia Press, 2013, 25-51.
- [“Apprenticeship Policy in Virginia: From Patriarchal to Republican Policies of Social Welfare”](#) in *Children Bound to Labor in Early America*, ed. By Ruth Herndon and John Murray, Cornell UP, 2009, pp. 183-197.
- [“The Transformation of Domestic Law”](#) in Christopher Tomlins and Michael Grossberg, eds., *Cambridge History of Law in America*, Volume I (1580-1815), chapter 9 (Cambridge University Press, 2008).
- [“Tocqueville as Historian of the Struggle Between Democracy and Aristocracy in America,”](#) *The Tocqueville Review*, 27 (Fall, 2006), 381-402.
- [“The Historical Links between Children, Justice, and Democracy”](#) in *Hamline Journal of Law and Public Policy* (Special Issue resulting from the Conference on “Reassessing the Past, Present and Future Role of Children and Their Participation and Protection in American Law”) 28 (Fall, 2006), 339-355.
- [“Children and Parents in Early America”](#) in Daniel Vickers, ed., *Blackwell Companion to*

- Colonial American History*, Blackwell, 2003, #223.
- “Power and Authority in the Colonial South: The English Legacy and its Contradictions,” in *Britain and the American South: Encounters and Exchanges from the Colonial Times to the Present*, University of Mississippi Press, 2003.
- “Women and the Law in Colonial and Revolutionary America,” and “The Common Law” in *Women in American History*, Volume I (New York: Book Builders), Fall 2001, 6-10, 72.
- “Age of Reason? Children, Testimony and Consent in Early America,” in Christopher Tomlins and Bruce Mann, eds., *The Many Legalities of Early America*, UNC Press & Omohundro Institute of Early American History and Culture, 2001, 293-332.
- “Adventures in Teaching: A Field Trip to Colonial Williamsburg,” *Uncommon Sense*, Spring 2000, 20-32.
- “Entailing Aristocracy in Colonial Virginia: ‘Ancient Feudal Restraints’ and Revolutionary Reform,” *William and Mary Quarterly*, Third Series, 54 (1997), 307-46.
- winner of three prizes, including the Douglass Adair Memorial Award for 2000 for the best article published in the *William and Mary Quarterly* in the past six years and James L. Clifford Prize for 1998 for the best article on any aspect of eighteenth-century culture, given by the American Society for Eighteenth Century Studies
- “Beyond Education: Thomas Jefferson’s ‘Republican’ Revision of the Laws Regarding Children,” in James Gilreath, ed., *Thomas Jefferson and the Education of a Citizen: The Earth Belongs to the Living*, Library of Congress: Washington, D.C., 1999, 48-62.

Articles in Progress

- “‘Man Stealing’ ‘Bond Slaverie & Villinage’: Reconsidering Slavery & Slave Law in Early Massachusetts and England’s Empire” *New England Quarterly*, accepted—needs revisions --
- “Marriage ‘Under the Age of Consent’: The Perils of Demography and the Power of Ideology.”

Awards and Fellowships

Awards & Recognitions

- Srinivas Aravamudan award (and honorable mention for the Clifford Prize) for 2019 for* “*Slavery, Sovereignty, and Inheritable Blood*,” for an article that pushes the boundaries, conceptual and geographical, of Eighteenth Century Studies.
- Distinguished Lecturer for the Organization of American Historians*, 2015-present.
<http://www.oah.org/about/oah-newsroom/new-speakers-added-to-roster-of-2015-16-distinguished-lectureship-program-speakers/>
- Biennial Book Prize of the Order of the Coif* for 2008, given by the Order of the Coif, the honor society of the Association of American Law schools for the book that "evidence[s] creative talent of the highest order" for *By Birth or Consent*.
- J. Willard Hurst Prize* for 2006, given by the Law and Society Association for the best book in sociolegal history published in 2005, for *By Birth or Consent*.
- Cromwell Prize* for 2006, given by the American Society for Legal History, for the best work in American Legal History by a junior scholar, for *By Birth or Consent*.
- Douglass Adair Memorial Award* for 2000, given by the Omohundro Institute of Early American History and Culture and the Claremont Graduate School, for the best article published in the *William and Mary Quarterly* in the past six years, for “Entailing Aristocracy in Colonial Virginia.”
- James L. Clifford Prize* for 1998 for the best article on any aspect of eighteenth-century culture, given by the American Society for Eighteenth Century Studies for “Entailing Aristocracy in Colonial Virginia.”
- Best Article published in the William and Mary Quarterly* in 1997, as chosen by the board of editors, for “Entailing Aristocracy in Colonial Virginia.” Awarded by National Society, Daughters of Colonial Wars.
- College of Humanities and Social Sciences Distinguished Research Award*, North Carolina State University,

2008.
Jeffrey L. Hansen Memorial Award for Distinguished Service to the Graduate Students Association (UCLA), 1992.

Stewart Prize for “contributing greatly to sense of Community at Harvard College,” 1985.

Fellowships & Scholarships

Digital Humanities Support:

Catalyst Fund Grant, University of Maryland, to support [Slavery, Law, & Power](#), November 2022.

NHPRC (National Historic Preservation & Records Commission) grant to support the development of a digital Humanities Project [Slavery, Law, & Power](#), Dec. 2020 (for 2021) and Dec 2021 (for 2022-2023).

American Society for Legal History, small grant to support website [Slavery, Law, & Power](#), Nov. 2020.

Fellowships

William Nelson Crowell Foundation Grant to support legal history to work on my book on “The Kings’ Slaves: Creating America’s Plantation System,” for Spring, 2021.

Fellow at the Robert H. Smith International Center for Jefferson Studies at Monticello, May 2021.

Guggenheim Foundation Fellowship, 2014-2015.

Patrick Henry Writing Fellowship, C. V. Starr Center for the American Experience, Washington College, Fall, 2012.

National Humanities Center Fellowship, 2009-2010.

National Endowment for the Humanities Fellowship, 2009-2010 (concurrent)

National Endowment for the Humanities, Summer Stipend, 2008.

Scholarly Project Award, NC State, summer 2008.

Mellon Fellowship, Huntington Library, San Marino, CA, Spring, 2006.

National Endowment for the Humanities Fellowship, 1997-98.

Faculty Research and Professional Development Award, NC State, 1995.

Chancellor's Dissertation Year Fellowship (UCLA), 1992-3.

Littleton Griswold Grant, American Historical Association) for legal research, 1991-2.

Carey McWilliams Award (UCLA) for academic distinction, 1991-2.

University Fellowship (UCLA) for academic distinction, 1991-2.

Mabel Wilson Richards Scholarship (UCLA) for academic distinction, 1989-90.

Harvard College Scholarship for academic distinction, 1984-85 and 1985-86.

Elizabeth Carey Agassiz Award (Harvard) for academic distinction, 1984-85 and 1985-86.

Amicus Curiae (co-author and signatory)

Brief of Amici Curiae Professors of History and Law in Support of Petitioner, *United States v. Rahimi*, No. 22-915 (U.S. Supreme Court 2023).

Brief of Amici Curiae Historian Holly Brewer in Support of Appellant and in Support of Reversal, *Worth v. Jacobson*, No. 23-2248 (8th Cir. 2023).

Brief of Amici Curiae Historians in Support of Appellees, *Rucho v. Common Cause*, Nos. 18-422, 18-726 (U.S. Supreme Court 2019).

Brief of Amici Curiae Historians in Support of Appellees, *Gill v. Whitford*, No. 16-1161, (US Supreme Court 2018).

Corrected Brief of Citizenship Scholars as Amici Curiae in Support of Appellants and Urging Reversal [at ____], *Tuana v. United States*, 788 F.3d 300 ,No. 13-5272,(U.S. Court of Appeals for the District of Columbia 2015).

Web, Newspaper, Magazine, Televised, YouTube & other public outreach (selected)

Twitter historian since Feb 2019 @earlymodjustice. About 6,300 followers.

[Top 30 most influential Marylanders in Higher Education](#) (*Daily Record* April 29th 2022

Contributor to UK Open University’s OpenLearn platform. Long interview about Justice, Democracy, and Race for their course on “Understanding Politics.” Due to be released in summer 2022.

[“How to Cure College’s Adjunct Addiction,”](#) *Washington Monthly*, August 4, 2021.

[“The Divine Right of Wingnuts,”](#) *Washington Monthly*, March 23, 2021.

[“Why Impeaching a Former President Wouldn’t have Surprised the Founders”](#) *Washington Monthly*, February 4, 2021.

[“Can Trump’s Pardons Be Reversed”](#) with Timothy Noah, *Washington Monthly*, January 22, 2021.

[“No, Thomas Jefferson didn’t rig the 1800 Vote Count,”](#) *Washington Monthly*, January 5, 2021 (first published on substack blog on December 31, 2020).

[“More on that Jefferson Nonsense,”](#) on substack blog, January 5, 2021.

[“Salutary Neglect? Reconsidering Empire”](#) for **College Board Advanced Placement in US History**, filmed October 2020, released via YouTube in November 2020 to AP students (one of a series of 8 lectures).

[Contextualizing Justice: John Locke and the Debates over Slavery & Absolutism in England’s Empire,”](#)

Zoom lecture for the Conference on John Locke organized by Mercer University (supposed to be an in-person lecture but turned into a zoom/YouTube event in November 2020).

[“Children in Colonial America”](#) C-Span Interview March 8, 2020.

[“1619: Racial Slavery, Representative Democracy & . . . Empire?”](#) blog post for Society for US Intellectual History November 2019.

[“Underrepresented Voices in the American Revolution: Hopes for Children & Women?”](#) for Massachusetts Council for Social Studies, July 2019.

[“Slavery & the Declaration of Independence,”](#) Lancaster County Historical Society, Lancaster, Pennsylvania, May 2019.

“Democracy as Process: Voting and Election Integrity in the Revolutionary Era” lecture at Gunston Hall (George Mason historic site), Virginia, November 2018.

Panelist on forum on [“Civil Rights across the Centuries”](#) July, 2018 at the National Constitution Center, Philadelphia (televised and recorded):

[“Struggling Over Democracy”](#) Society for U.S. Intellectual History Blog, Roundtable on James Kloppenberg’s *Toward Democracy: The Struggle for Self Rule in European and American Thought* (Harvard University Press, 2017), posted July 25, 2017

[Interview about my AHR article on Locke & Slavery](#) for H-net & H-law.

[One of ten historians](#) who participated in a roundtable at the **Smithsonian Museum of**

American history to advise US. Treasury Secretary Lew and US Assistant secretary Rosie Rios about the new currency, esp. the new \$10 bill and which women should be on it, but also other new bills and coins, and the meaning and purpose of currency generally, August 2015.

[Here is a second](#) national press report about the roundtable:

[“Kings as Tyrants and Enslavers: Reconsidering the Declaration of Independence through the Lens of the Original Draft,”](#) paper at the National Archives, June, 2015, part of a public presentation/conference on “Punctuating Happiness” that was jointly sponsored by the Institute for Advanced Study at Princeton and the National Archives. Here’s the [National Archives link](#) about the conference.

Finally, here’s an article in [Perspectives on American history: the Newsmagazine of the American Historical Association](#) that summarizes and comments on my findings and on my presentation to the [“Punctuating Happiness” conference generally.](#)

[Interview for the Society for the History of Childhood and Youth with Ryan Patrick](#) (posted April, 2015), approximately one hour on my first book and a bit about my second. Sent and posted on the main page of the Society for the History of Childhood and Youth (1700 members).

Humanities Center and directed at K-12 teachers. Initial audience of 100 in September 2015 and permanently posted online.

College Board: Conducted televised/recorded Professional Development workshop for Advanced Placement U.S. History Teachers—Lecture and supplementary materials will reach as many as 12,000 AP U.S. History teachers on “module 2” (Colonial Period) on the new History standards (Feb, 2015).

“Working Children” for **Colonial Williamsburg Foundation**, website and interactive project on children and work in early America, consultant, 2014.

Reviewer and final editor for Website about [children in colonial London-town, Maryland](#), 2013.

Advisor for documentary film series on “History of American Law” to air possibly on public television or the History Channel.

Gilder Lehrman Foundation (K-12). Several lectures.

Older Op-Ed

with Laurie Burnham, “Disputed Elections: An American Tradition,” distributed via the History News Service 11/15/2000 to 64 newspapers and 4 wire services. Lead op-ed on Knight Ridder Tribune News Service wire on 11/17/2000. Published in at least 8 newspapers.

Invited Presentations/Plenary Lectures:

“*Relatively Radical: From the British Empire to the American Constitution*,” Goucher College, Constitution Day Lecture, September 2023.

“*Vice-Regal Power versus Little Parliaments in England’s Seventeenth Century Empire*,” for Conference on Parliamentary Cultures in Colonial Contexts, Jesus College, Oxford September 2023.

“*Colonial Charters & Struggles over Legal Power in 17th-Century England (on the Uses and Abuses of Legal History)*,” Conference on the Future of English and American Legal History, sponsored by the Notre Dame Law School, London, August 2023.

“*Federal Empire, Federal Republic: Legal Transformation and its limits in the New Republic*” Presidential Panel, Society for Historians of the Early American Republic, July 2023.

“*Contextualizing Justice: John Locke & the Religious Debates over Slavery, Law, and Power in England and its Empire*,” Keynote to the John Locke Society Conference, June 2023. Presented in January 2023 to the Colombia University Eighteenth Century Studies Seminar.

“*Neither King nor Justice: Locke on Power, Slavery, and Race*,” for Conference on Rethinking Locke, Oriel College, Oxford, April 2023.

“*John Locke on Power, Fashion & Injustice*” at Arizona State University, School of Civic and Economic Thought and Leadership, February 2023.

“*Property, Slavery, and Freedom: A Critique of C. B. Macpherson’s Transformative Influence Across Disciplines*” for conference on “Slavery and Slavery in Political Thought,” Oxford UK, July 2022.

“*‘Sacred rights of life and liberty’: Contests over the of Independence, British Slavery, and Structural Racism*,” International Center for Jefferson Studies (via zoom) April 29, 2021.

“*Contextualizing Justice*,” Plenary for A. V. Elliot Conference on John Locke, Mercer College, November, 2020 (via zoom).

“*Contingency, or Forks in the Road: Conclusion to my book manuscript on Slavery & Sovereignty in Early America and the British Empire*” Chicago, Empire & Atlantics Workshop (via zoom) September 2020.

“*‘How to Hide an Empire’ and Revolution(s): Illusions of Stability amidst a Turbulent Sea of Revolution in 18th c. Britain & its American Colonies*,” Chicago, Empires & Atlantics Mini-conference (via Zoom), July 24, 2020.

- "Suffer'd under his Tyrannie": Colonial Governance, Jewish Law, and the Iberian influence on Slavery in early America & the British empire* " Yale University, Early Modern Empires Workshop, April 2019.
- "Sheathed in Your Own Bowels": Monarchy & Slavery Across the British Empire after the Restoration,*" Plenary lecture for conference on "Rethinking the Origins of Slavery and Racism in Early America," the 2019 Porter Fortune Symposium at the University of Mississippi, March 2019.
- "Contextualizing Justice: John Locke and the Debates over Absolutism and Slavery in England's Empire"* for interdisciplinary forum on "Empires and Atlantics" University of Chicago, March 2019.
- "Contextualizing Justice: John Locke and the Debates over Absolutism and Slavery in England's Empire"* invited lecture, Stanford Humanities Center, October 2018.
- "Most agreeable to the monarchy under which we live': Slavery, Power, & the Restoration"* invited lecture to the Center for the Study of Law and Society, University of California, Berkeley, School of Law, October 8, 2018.
- "Creating a Common Law of Slavery for England and its New World Empire"* New York University Law School Legal History Colloquium, February 26, 2018.
<http://www.law.nyu.edu/academics/colloquia/legalhistory>
- "How England's Kings Enslaved America"* Invited Plenary Lecture Mercer College (Georgia) February 2018 <https://afp.mercer.edu/events/2017-18/2017-18-speaker-series.cfm>
- "Creating a Common Law of Slavery"* invited plenary for 2017 biennial meeting of the British Legal History Conference at the University College London & London School of Economics, July 2017 <http://www.laws.ucl.ac.uk/event/british-legal-history-conference>.
- "Creating a 'Fashion' for Slavery in the Stuart Court(s),"* conference on *The Pleasures of the Historical Imagination: A Conversation with John Brewer (no relation)*, Villa Salviati, European University Institute, Florence, Italy, June 2017.
- "Slavery, Sovereignty, and 'Inheritable Blood': Reconsidering John Locke and the Origins of American Slavery,"* McNeil Center for Early American Studies, Summer Seminar Series, June 1, 2017.
- "They being stolne': Conflicting Views of Slavery and Governance in Early Massachusetts and the British Empire"* Massachusetts Historical Society, Partnership of the Historic Bostons reading group, June, 2017.
- "Promises of Consent and Equality: Public Education and the American Revolution"* part of the Democracy Then & Now series of Lectures at the University of Maryland, October 2016.
<http://dtn.umd.edu/news/watch-promises-consent-equality-public-education/>
- "Reconsidering Slavery & Slave Law in Early Massachusetts,"* Massachusetts Historical Society on October 4, 2016.
- "Restoring Monarchy & Establishing Slavery across England's empire in the Americas,"* Reed College, Portland, Oregon, September 2016.
- "Inheritable Blood': Slavery and Sovereignty in Early America and the British Empire"* as plenary "Sivert O. and Majorie Allen Skotheim Lecturer" at Whitman College, Walla Walla Washington, September 2016.
- "Creating a 'Fashion' for Slavery in the Stuart Court(s),"* to the Center for Early Modern History, University of Minnesota, September 2016.
- "Reconsidering the Ideological Origins of American Slavery: Locke's Virginia Plan in Context"* Atlantic History Workshop, University of Minnesota, September 2016.
- Presentation on my book manuscript on *"Inheritable Blood"* at the Zuckerman Salon, University of Pennsylvania, March 2016.

- "Kings as Tyrants and Enslavers: Reconsidering the Declaration of Independence through the Lens of the Original Draft,"* paper at the National Archives as part of a public presentation/conference on "Punctuating Happiness" that was jointly sponsored by the Institute for Advanced Study at Princeton and the National Archives (also see below under web/public outreach) June, 2015.
- "Consent, Slavery, and Democracy,"* Keynote at conference on "Consent in Early America" at the Rothermere American Institute, Oxford (UK), March 2015.
- "Slavery and Sedition,"* Triangle Early American History Seminar, co-sponsored by the Trinagle Early American History Seminar and the Triangle British History Seminar, Research Triangle, North Carolina, April 2015.
- "Colonial America"* two televised lectures record by College Board/AP to 12,000 AP teachers across country on new curriculum covering colonial period of American history (1607-1776). Released to public April 2015 (also see below under web/public outreach).
- "Creating a Common Law of Slavery"* Yale Law School, October 2014.
- "The Mysterious Death of Morgan Godwyn: Rethinking Press Censorship and the debates over slavery in the early British Empire,"* Huntington Library, invited participant at conference on the "American Republic of Letters," December, 2012.
- "Twelve Judges in Scarlet: The Seventeenth Century Contest over a common law of slavery,"* part of a panel on "Absolutism and Slavery" American Society for Legal History, St. Louis, November, 2012.
- "Twelve Judges in Scarlet: The Seventeenth Century Contest over a common law of slavery,"* University of Pennsylvania Law School, October, 2012.
- "Slavery, Monarchy and Power in colonial America"* invited lecture as Patrick Henry Writing Fellow at the Starr Center, Washington College, September, 2012.
- "The Mysterious Death of Morgan Godwyn: Rethinking Press Censorship and the debates over slavery in the early British empire"* Washington Area Group for Print Culture Studies, Library of Congress, September, 2012.
- "Property in People: Making Slavery a Pillar of Capitalism via the Common Law"* invited presentation to the History Workshop at the University of Delaware, September, 2012.
- "Twelve Judges in Scarlet: Reconsidering the Common Law Origins of Slavery"* invited presentation to the Triangle Early American History Seminar and Triangle Legal History Seminar (jointly) May 2011.
- "Beyond Somerset: Reconsidering the Common Law Origins of Slavery"* pre-circulated paper for the Omohundro Institute Colloquium, January 2011.
- "Slavery, Sovereignty, and 'Inheritable Blood' in the Wake of the Glorious Revolution: Rethinking the Shape of Empire,"* presentation as part of the American Origins Seminar at the Huntington Library, October, 2010.
- "Beyond Somerset"* Keynote lecture to the British Group in Early American History (BGEAH), annual meeting, Oxford, September, 2010.
- "Slavery, Sovereignty, and 'Inheritable Blood' in the Wake of the Glorious Revolution: Rethinking the Shape of Empire,"* invited lecture, Oxford University, February 2010.
- "Transforming Coverture: Contesting Personal and Political authority in the common law of the early modern Anglo Atlantic, 1550-1820 "* Stanford Seminar on Enlightenment and Revolution, Palo Alto, CA, January, 2010, and NYU law school, March 2010.
- "Baptized, Catechized, and Bred Christians': Tracing Subjects, Slaves, Suffrage and Sovereignty through the religious debates of the Early British Atlantic"* for conference on "State and Citizen in British America and the Early United States" Oxford, UK, April 2009.
- "Baptized, Catechized, and Bred Christians': Tracing Subjects, Slaves, Suffrage and Sovereignty through the*

- “*Inheritable Blood: Of Slavery and Freedom, Aristocracy and Empire*” for panel on “Revolutions and the Law of Slavery” at the Organization of American Historians annual meeting, Seattle, Washington, March 2009.
- “*Slavery and 'Inheritable Blood' in the Wake of the Glorious Revolution: The Struggle over Locke's Virginia Plan of 1698*”, British Historical Studies Colloquium, Yale University, December 2008.
- “*Children's Rights, Hereditary Status, and the Constitution*” part of roundtable on “*The Origins of the Constitution: Beyond Beard*” Invited Panel for the Society of Historians of the Early American Republic, Philadelphia, July, 2008.
- “*Inheritable Blood: The Ideological Origins of the Debate over Slavery in Virginia and the British Empire*” Atlantic Studies Seminar at the McNeil Center for Early American Studies, Philadelphia, January 2008.
- ““*Borne that Princes Subjects*”? *How the Religious debate over Infant Baptism Shaped the Political Debate over Consent in the Seventeenth Century Anglo-American World*,” Southern Conference on British Studies, Richmond, October, 2007.
- “*Baptized, Catechized, and Raised Christians*”: *John Locke's 1698 Plan for Law Reform in Virginia as part of the Debates over Slavery, Education, and the Status of Subjects in the New World*” for Conference on Children and Education in the Transmission of Regional Culture, Watson-Brown Foundation/Institute for Southern Studies, Thomson, Georgia, September 2007.
- “*Marriages 'Under the Age of Consent': The Perils of Demography and the Power of Ideology*” given jointly at the Triangle Early American History Seminar and the Triangle Legal History Seminar, September 2007.
- Invited Speaker, Hurst Institute for Legal History (University of Wisconsin, Madison), July 2007.

Panel Participation at Conferences (selected):

- “[Somerset v. Stewart at 250: A Virtual Roundtable Discussion](#)” with Christopher Brown, Manisha Sinha, & Alan Taylor, American Philosophical Society, November 30, 2022.
- “Historians on the Constitution: The Past Faces the Present,” Panel at the Omohundro Institute for Early American History & Culture Annual Conference, Williamsburg, Virginia, October 2022. Moderated by Rosemarie Zagari (George Mason University) and featuring Kevin Arlyck (Georgetown University), Holly Brewer (University of Maryland), Andrew M. Schocket (Bowling Green State University), and Sarah L. H. Gronningsater (University of Pennsylvania)
- “[Toward an Open Access HTR program for Early Modern Paleography](#)” American Philosophical Society, June 2022.
- “The Problem of Custom in English & American Law: Slavery, Power, and Legitimacy 1619 through 1837” paper for panel on “Paper Empire” for the American Society for Legal History, November 2021.
- “[Cruel war against human nature itself: Understanding the American Revolution's Impact on Slavery within the Context of Imperial Governance](#)” paper for panel on Slavery and Race and the American Revolution, American Philosophical Society Conference on the “Meanings of Independence, October 2021.
- Panelist on roundtable on “Thinking the Empire Whole” at NACBS Vancouver, 2019.
- “Creating a fashion for slavery in the Stuart Court(s)” paper at the International Conference on Eighteenth Century Studies, Edinburgh, July 2019, and also at the Black Portraiture Conference, October 2019.
- “*Continuing Relevance of the Enlightenment*,” Panelist for Roundtable at the American Historical

- “*Slavery and Power in early English America: Feudalism, Oathtaking, and the Centrality of Allegiance*” for Presidential Panel at the American Historical Association Annual Meeting on “Loyalty, Rights, Slavery and Power in Europe's New World Empires 16th-18th centuries,” Chicago, January 2019.
- “*Most agreeable to the monarchy under which we live: Slavery, Power, & the Restoration*,” for conference on “Monarchy and Modernity” at Cambridge University, Cambridge UK, January 2019.
- “*Children as a Window into Debates over Slavery in England's Seventeenth Century Empire*” for conference on “Writing History through Childhood” at Northwestern, October 2018.
- “*Adapting slavery from the Portuguese & Spanish: Creating an English 'feudal' and then property Law for England's new world empire*” for conference on “Arguing for the Rule of Law: Using the Hebrew Bible and Caricatures of Foreigners in British and Spanish America.” at Newberry Library, October 2108.
- “*Property in People and the Complexities of Capitalism*” paper for the Business History Association Conference, (Baltimore) April 2018 & for the Society for Historians of the Early American Republic, (Cleveland) July, 2018.
- “*Debating Property in People during the Seventeenth Century*” part of a panel on “Law and Intellectual history” US Intellectual History Conference, Stanford University, October, 2016.
<http://s-usih.org/2016conference>
- “*Translating 'Slave' and 'Negro': Words, Meanings, & Legal Status in the Early English Caribbean*” for conference on Translation and Transmission in the Early Americas: The Fourth Annual Early Americanist Summit, June 2-5, 2016.
<http://oieahc.wm.edu/conferences/supported/translation/index.html>.
- “*Creating a 'Fashion' for Slavery in the Stuart Court(s)*,” at conference on Restoration & Empire, University of Maryland, College Park, April, 2016.
<https://restorationandbritishimperialism.wordpress.com/about-2/>.
- “*Sedition, Treason, Censorship & Slavery in England and its Empire*,” presentation at Renaissance Society of America annual meeting, Boston, March, 2016,
<http://www.rsa.org/?page=2016Boston>.
- “*Sovereignty, Slavery & the Rights of Subjects in the Early English Empire*” at 22nd British Legal History Conference, Reading UK, July 2015.
- “*Slavery and Sedition*,” part of a panel on “Policing” at the American Society for Legal History, Denver, November 2014.
- “*Slaves as Aliens: Reconsidering the Boundaries of Subjects' Rights over Two Centuries*” Society for Historians of the Early American Republic, Baltimore, July, 2012.
- “*Performing Resistance to slavery amidst limits on freedom of the press and speech: widening our historical vision of the debates over slavery in the early British empire*” paper for the Society of Early Americanists Conference called “Triumph in my Song” University of Maryland, May, 2012.
- “*The Myth of 'Salutary Neglect': Empire and Revolution in the Long Eighteenth Century*,” at the North American Conference on British Studies, November, 2011.
- “*J.R. Pole and the Historiography of Consent*,” presentation for roundtable on Pole at Society for Historians of the Early American Republic, Philadelphia, July 2011.
- “*Willing Women*” presentation for Conference on Married Women and the Law, Halifax, Nova Scotia, June 2011.
- “*Legally Bound*” for panel on Chris Tomlins' *Freedom Bound: Law, Labor, and Civic Identity*

- “*Transforming Coverture: Contesting Personal and Political authority in the common law of the early modern Anglo Atlantic, 1550-1820*” American Society for Legal History Conference, Dallas, TX, November 2009.
- “*Baptized, Catechized, and Bred Christians’: Tracing Subjects, Slaves, Suffrage and Sovereignty through the religious debates of the Early British Atlantic*” at “The Early Chesapeake: Reflecting Back, Projecting Forward,” a conference supported by the Omohundro Institute at St. Mary’s City, Maryland, November, 2009.
- “*Slavery and ‘Inheritable Blood’ in the Wake of the Glorious Revolution: The Struggle over Locke’s Virginia Plan of 1698*”, given in short form at the National Association of British Studies Meeting, Cincinnati, Ohio, September, 2008 and the American Society for Legal History, Ottawa, Ontario, November 2008.
- “*Transforming the Common Law of Domestic Relations, England and America, 1550-1830*,” Berkshire Conference of Women’s Historians, Minneapolis, June, 2008.
- “*A Royalist Slave Code? Political Ideology, Lineage and Slavery in Seventeenth Century Virginia and the British Atlantic*” 14th-annual Omohundro Institute of Early American History and Culture Conference, Boston, June, 2008 (I gave the same paper at the Virginia Forum in Lynchburg, Virginia, April, 2008).
- “*William Fitzhugh’s Royalist Slave Code: Rethinking the Connections between Hereditary Status, Land, and Slavery in Seventeenth-Century Virginia*,” American Society for Legal History Conference, Baltimore, November 2006.
- “*The Historical Links between Children, Justice, and Democracy*,” Hamline University Law School, Minneapolis, for Conference on the Past, Present and Future Role of Children and their Participation and Protection in American Law, April 2006.
- “*Dependents and Independence: Reconsidering the Principles of the American Revolution*,” Consortium on the Revolutionary Era, Atlanta, March 2006.
- Forum on my book, Huntington Library, February, 2006.
- “*Tocqueville as Historian of Democracy and Aristocracy in America*,” Conference Commemorating the 200th Anniversary of Tocqueville’s Birth, Cerisy and Paris, May 2005, New Haven, September 2005.
- “*The Transformation of Domestic Law in Early America*,” Triangle Early American History Seminar, October, 2004.
- “*Perpetual Slavery, Land, and Status: Reconsidering the English Legacy of Liberty and Authority in the Colonial South*,” Triangle Early American History Seminar, March, 2003.
- “*Reconsidering the Colonial Chesapeake: Historiographic Reevaluations*,” at the Southern Historical Association, Baltimore, November, 2002.
- “*From Children’s Labor to Custody: The American Revolution and Welfare Policy in Virginia*,” for conference on “Proper and Instructive Education”: Children Bound to Labor in Early America,” McNeil Center for Early American History, Philadelphia, November, 2002.
- “*Marriage ‘under the age of Consent’: Reconsidering Women’s and Children’s lives in Seventeenth-Century Virginia and England*,” paper presented for the Jamestown Institute, Jamestown, Virginia, September, 2002.
- “*Perpetual Slavery, Land, and Status: Reconsidering the Laws of Perpetuities and their Connections to Religious and Political Ideology in Colonial America*,” American Society for Legal History, Chicago, November, 2001.
- “*Power and Authority in the Colonial South: The English Legacy and its Contradictions*,” for the 26th Annual Porter L. Fortune, Jr. History Symposium on the theme “Britain and the American South: Encounters and Exchanges from the Colonial Times to the Present” at the University of Mississippi, October, 2001.
- “*Revolutionary Ideology and the Decline in Apprenticeship: Reconsidering Welfare Policy in Virginia, 1750-*

- 1820" at a conference on "Pauper Apprenticeship in Early America," Toledo, Ohio, September, 2001.
- "*The Politics of Consent and the Legal Status of Children: The Emergence of Parental Custody in England and America, 1550-1820*," Seventh Annual Omohundro Institute of Early American History and Culture Conference, Glasgow, Scotland, July, 2001.
- with Vern Bullough, "'She Feared a Sin': Girls and Sex in Virginia and England, 1550-1820," at the McNeil Center for Early American Studies/Omohundro Institute of Early American History and Culture Conference on Sexuality in Early America, Philadelphia, June, 2001.
- "*Understanding Intent: Children and the Transformation of Culpability in England and America, 1550-1820*," University of Pennsylvania Law School and McNeil Center for Early American Studies, September, 1999.
- "*Who Invented Kids?*," Colonial Williamsburg Symposium on "The American Family that Never Was," November, 1997.
- "*Children, Citizenship, and the American Revolution*," Organization of American Historians, San Francisco, April, 1997.
- "*Without Reason? Children, Testimony, and Consent in Early America*," Conference on the Many Legalities of Early America, Institute of Early American History and Culture, Williamsburg, November, 1996.
- "*Children and Crime: Defining Intent in Early America*," Social Science History Conference, New Orleans, October, 1996.
- "*Constructing Consent: Political Legitimacy and the Legal Status of Children in Early America*," Institute of Early American History and Culture, Williamsburg, Virginia, May, 1995.
- "*Dynamics of Politics in the Colonial South: Patriarchal Elements*," Historical Society of North Carolina, Greensboro, North Carolina, April, 1995.
- "*Confronting Rural Poverty: The Transformation of Welfare Policy in Frederick County, Virginia, 1750-1820*," Conference on After the Backcountry: Rural Life and Society in the Nineteenth-Century Valley of Virginia, Virginia Military Institute, Lexington, Virginia, March, 1995.
- "*Republican Ideology and Apprenticeship Policy in Virginia: A Shift in Social Welfare Policy?*" Social Science History Conference, Atlanta, Georgia, October, 1994.
- "*Children's Labor and Children's Citizenship: Poor Apprenticeship and the Increase of Parental Custody Rights in the New Republic*," North American Labor History Conference, Wayne State University, Detroit, Michigan, October, 1993.
- "*Limiting and Developing Individual Consent: Children and Eighteenth-Century Political Thought*," Society for the History of the Early American Republic, UNC-Chapel Hill, July 1993.
- "*Beyond Education: Thomas Jefferson's 'Republican' Revision of the Laws Regarding Children*," Conference on Thomas Jefferson and the Education of a Citizen in the American Republic, Library of Congress, Washington, D.C., May, 1993.
- "*Under the Protection of the State?: Limits on the Power of Parents and Masters Over Children 1750-1820*," Huntington Library, San Marino, California, March, 1993.
- "*'In Reasonable and Moderate Manner Only': Protecting Children from Abuse in American Courts in the Eighteenth Century*," South Central Society for 18th Century Studies, Louisiana State University, Baton Rouge, March, 1993.
- "*'Why, Philip, Have Mercy': Protection of Children from Abuse in Massachusetts, Pennsylvania and Virginia, 1750-1820*," Western Society for 18th Century Studies, University of California at Santa Barbara, February, 1993.
- "*Children in the Age of Reason: How Children's Place in Political Theory Shaped the Qualifications for Citizenship*," Midwestern Society for 18th Century Studies, Toledo, October, 1992.

Commentator (partial)

Commentator, Chair & Organizer for panel on "Vast Early America and American Exceptionalism" at AHA in New York City, January 2020.

- Commentator for panel at ASLH in Boston, November 2019.
- Commentator for panel on Capitalism and Property in the British Empire at NACBS November 2019.
- Commentator for panel on "Agitators for Citizenship in Antebellum America: Toward a New History of African American Citizenship," American Historical Association Annual Meeting, Chicago, January 2019.
- Commentator for panel on Chesapeake at Conference on Region and Nation in American Histories of Race and Slavery, co-sponsored by the Omohundro Institute of Early American History and Culture and the Smith Library at Mt. Vernon, Mt. Vernon, October 2016.
- Commentator for roundtable for book by Robert J. Cottroll "*The Long Lingered Shadow: Slavery, Race and Law in the American Hemisphere*," American Society for Legal History, October 2015.
- Commentator for panel on the "Boundaries of Citizenship in the New American Republic" at SHEAR, Philadelphia, July, 2014.
- Commentator and Chair of panel on "Women, Children, Slavery and the Law in North and South America" at the Berkshire Conference of Women's Historians, Toronto, May, 2014.
- Discussant for conference on the British Empire in the Seventeenth and Eighteenth Centuries, Huntington Library, Pasadena, January, 2010.
- Discussant for panel "Outsiders looking in" for Southern Association for Women's Historians, Columbia, South Carolina, June, 2009.
- Discussant for paper on women in early Virginia at the Symposium on Early Virginia, Charlottesville, August, 2007.
- Discussant for panel on inheritance law in Early America for Eleventh Annual Institute Conference, Santa Barbara, June 2005.
- Discussant for panel on dependence in Colonial Virginia for Eighth Annual Institute Conference, June 2002.
- Discussant for panel on Virginia and Florida in the Atlantic Economy at a Conference on the Emergence of the Atlantic Economy, Charleston, October, 1999.
- Discussant/Chair for panel on Women in the New Republic, at Society of Early Americanists Conference, Charleston, March, 1999.
- Discussant/Chair for "Children and the Law in Early America" a panel at the American Society for Legal History annual meeting, Minneapolis, October, 1997.
- Discussant for paper "Women, Economic Opportunity, and Wealth Accumulation Strategies on the Frontier," at the Economic History Association, Durham, September, 1998.

Book Reviews (selected)

- Abigail L. Swingen, *Competing Visions of Empire: Labor, Slavery, and the Origins of the British Atlantic Empire* (Yale, 2015), in *William & Mary Quarterly* 74 (2017): 808-811.
- Christopher Tomlins, *Freedom Bound: Law, Labor, and Civic Identity in Colonizing English America, 1580-186*, *Law & Society Review* (2012) 46: 651-654.
- Rhys Isaac, *Landon Carter's Uneasy Kingdom: Revolution and Rebellion on a Virginia Plantation*, *North Carolina Historical Review*, 82 (2005), 260-261.
- Linda Sturtz, *Within Her Power: Propertied Women in Colonial Virginia*, *Virginia Magazine of History and Biography*, 112 (2004): 304-306.
- Terry Snyder, *Brabbling Women: Disorderly speech and the law in early Virginia*, *Journal of American History* 91 (2004), 991.
- Gillian Brown, *The Consent of the Governed: The Lockean Legacy in Early American Culture*, *William and Mary Quarterly*, 60 (2003), 235-238.
- Peter S. Onuf, *Jefferson's Empire: The Language of American Nationhood* for H-SHEAR, January, 2001.
- Richard A. Chused, *Private Acts in Public Places: A Social History of Divorce in the Formative Era of American Family Law*, *Law and History Review* 15 (1997), 185-8.

Professional Organizations and Responsibilities

Littleton Griswold Prize Committee (for the best book in Legal History), American Historical Association, 2021-2024. Chair 2023-2024.

Council, McNeil Center for Early American History, Philadelphia, 2021--.

Co-Editor for American Society for Legal History book series, *Studies in Legal History*, which publishes with Cambridge University Press, 2010-2021.

Co-Chair of Membership Committee, American Society for Legal History, 2019--.

National History Center, Program Committee, committee of the American Historical Association 2014--.

Co-organizer, Washington Early American Seminar Series, a group that meets monthly during term time, 2011--.

Co-organizer, Washington Early American Seminar Mini-Conference (via zoom), October 2020.

Omohundro Institute "Coffeehouse" Coordinator on "Slavery, Law, & Power" April-June 2021.

Member of Fellowship Committee, Huntington Library, 2020/21.

Chair of Clifford Prize Committee, American Society for Eighteenth Century Studies, 2020 (member of that committee, 1999).

Council of the Omohundro Institute for Early American History and Culture, Fall 2012-2015.

Member of the Constitutional Revision Committee 2013-2014, Chair of Inclusive Practices sub-committee on Publications & Outreach, 2019--.

Chair of Website Redesign Committee for the American Society for Legal History, 2013-2014, member of that committee 2018--.

Member of editorial board for *Law & History Review*, 2010--.

Reviewer of manuscripts for UNC Press, Chicago, Yale & other presses.

Reviewer for National Humanities Center Fellowships 2012--.

Reviewer of fellowship applications for National Endowment for Humanities, 2012, 2019.

Co-organizer of Conference on "Restoration and Empire" with Laura Rosenthal in English, University of Maryland, College Park, April, 2016.

American Society for Legal History, local arrangements committee, Washington DC, 2015.

American Historical Association, Chair of Teaching Prize Committee, 2009-2012.

Co-organizer of a conference, "Political Arithmetick" of empires in the Early Modern Atlantic, a conference co-sponsored by the Omohundro Institute of Early American History and Culture and the Department of History, University of Maryland, March 17-19, 2012.

Coordinator of the Early Americas Workshop, a Washington area group that brings together scholars of the Americas for quarterly meetings, with support from the Kislak foundation., 2011-2012, member of board 2012-2014.

Organizer of the *Triangle Early American History Seminar*, a group that includes faculty and graduate students from all area universities and visiting scholars at the National Humanities Center. We met monthly to discuss our work and that of visiting scholars, 1997--2011. From Spring 2007, I co-organized with Kathleen Duval of UNC.

Program Committee for the Organization of American Historians Annual Meeting, Houston, 2011, member of local arrangements committee for Annual Meeting, Washington DC 2020.

Program Committee for the American Society for Legal History, Philadelphia 2010.

Board of Directors for the American Society for Legal History, 2010-2012.

Prize Committee for the Cromwell Dissertation Prize, American Society for Legal History, 2007, Cromwell Book Prize, 2008, 2009.

Prize Committee for the Biennial Order of the Coif Book Award, 2008-2009.

Program Committee for Thirteenth Annual Institute of Early American History and Culture Conference, Jamestown, June 2007.

Advisory Editorial Committee, *North Carolina Historical Review*, 2001-2004.

Program Committee for American Society for Legal History Annual Conference, 2003.

Referee for articles, *Law and History Review*, 2000--.

Referee for book manuscripts, University of Pennsylvania Press, University of Georgia Press, UNC Press, and others.

Case 8:23-cv-01798-CJC-ADS Document 20-1 Filed 11/03/23 Page 27 of 28 Page ID
#235
Advisory Board, American Society for Eighteenth-Century Studies On-Line project, 2000-2001.
Advisory Board, H-SHEAR, 2000-2004.
Member, Program Board for Third Annual Institute of Early American History and Culture
Conference, June, 1997.
American Historical Association 1987--.
Omohundro Institute for Early American History and Culture 1990--.
McNeil Center for Early American History 2006--.
American Society for Legal History 1992--.
Organization of American Historians 1987--.
Social Science History Association 1994-5, 1996-7.
General Editor, *UCLA Historical Journal* 1989-93. Book review editor 1991-2.
Institute of Historical Research, University of London, Member, 1992--.

University Administrative Experience & Advising

Elected Representative for Council of University System Faculty, University System of Maryland,
2021-2024.
Chair, Legislative Affairs Committee 2021-2022.
Chair, Council of University System Faculty, 2022-2023.
Director, Undergraduate Studies History Department, 2022--.
Senator for University Senate, UMD-College Park, 2019-2022.
Co-Chair of UMD-PACT committee on Open & Expanded Access for UMD Libraries 2020--.
President of UMD Chapter of AAUP American Association of University Professors) 2021-22;
Vice-President of AAUP (UMD Chapter 2020-2021--.
Member of ERG (Elections, Representation, and Governance) Committee of University Senate,
UMD-College Park, 2019-2021.
Member of Committee on Library Strategic Plan 2019-2020.
Director of Honors Program, Department of History, UMD, 2013-2018.
University Senate Library Committee, 2016-2018.
Search Committee in U.S. Military History, UMD, 2017-2018.
Summer Research Fellowship Selection Committee, UMD graduate school, spring 2017.
Committee on Restructuring the Graduate School, University of Maryland, 2016-2017.
Miller Center Board member, Department of History, UMD, 2011-2018.
Graduate Committee, UMD History Dept., 2012-2016 (break during 2014/2015 year).
Chair, Collegiate Council, College of Arts & Humanities, 2012-2014.
Chair, Search Committee for Associate Director of the new scholars program in "Justice and
Legal Thought," Fall, 2013.
Search Committee on America and the World, UMD History Dept., 2012-2013.
Undergraduate Committee, UMD History Dept., 2012-14.
Dean's Senior Scholar Prize Committee, UMD, 2011-2012.
Chair of Tenure Committee for Richard Bell, 2011-2012.
Chancellor's Dissertation Prize Committee Member UMD, 2011-2012.
Undergraduate Advisor, NC State 2002-2010 (won award for best in college, 2005).
Search Committee in British/British Atlantic History, NC State, 2006-7.
Search Committee in American Environmental History, NC State, 2003-4.
Search Committee in pre-1800 North American History, Duke University, 2001-2002.
Strategic Planning Committee (NC State), History Department, 1995-2000, 2003-2010.
University Bookstore Committee (NC State), 1999-2002 (Chair, 2001-2002).
Graduate Committee (NC State), History Department, 1995-97, 1998-2000, 2001-2003.
Curriculum Committee (NC State), History Department, 2001-2003, Chair 2002-2003.
Martin Luther King Committee (NC State), 1998-2001.
Taskforce on Family Leave Policy (NC State), 1999-2000.
Budget Committee (NC State), History Department, 1998-2000.
Advisor, History Club (NC State), 1996-97, 1999-2000.
Erika Fairchild Committee (NC State), 1996-97.

Speakers and Ceremonies Committee (NC State), History Department, 1996-97.
Academic Senate (UCLA), Graduate Division, Graduate Representative 1991-92, 1992-93.
Graduate Students Association (UCLA), Forum Representative, 1989-90 and 1990-91.
Social Science Council (UCLA), History GSA Representative, 1989-92.

References

Professor Ruth Bloch, UCLA (emeritus), Early American History
Professor John Brewer, California Institute of Technology (emeritus), British History
Professor Sarah Barringer Gordon, University of Pennsylvania, Arlin M. Adams Professor of
Constitutional Law and a Professor of History
Professor Michael Grossberg, Indiana University, Bloomington, American Legal History
Professor David Konig, Washington University in St. Louis, Early American History and Law
Professor Bruce Mann, Carl F. Schipper, Jr. Professor of Law at Harvard Law School
Professor Mary Beth Norton, Cornell (emeritus), Mary Donlon Alger Professor of American
History
Professor Carole Pateman, UCLA (emeritus), Political Theory
Professor Jack Rakove, Stanford, W. R. Coe Professor of History and American Studies,
Professor of Political Science, Professor, by courtesy, of Law.
Christopher Tomlins, Elizabeth J. Boalt Professor of Law, Berkeley Law, Jurisprudence and
Social Policy Program